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Attorneys for Defendant,
Union Pacific Railroad Company

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

THOMAS DUNGER,

Plaintiff,

v.

UNION PACIFIC RAILROAD
COMPANY, and DOES 1 through 20,
inclusive,

Defendants.

Case No: 2:18-cv-06374-PA(SSx)

*[Los Angeles Superior Court Case
No. BC73484 before the Honorable
Monica Bachner]*

**DECLARATION OF DANIEL
GLENN IN SUPPORT OF
DEFENDANT UNION PACIFIC
RAILROAD COMPANY'S MOTION
FOR SUMMARY JUDGMENT OR,
IN THE ALTERNATIVE, PARTIAL
SUMMARY JUDGMENT**

Date: June 3, 2019
Time: 1:30 p.m.
Ctrm: 9A
State Complaint Filed: April 23, 2018
Trial: July 9, 2019

I, Daniel Glenn, hereby declare and state as follows:

1. I am an individual in the above-entitled action. I make this Declaration in support of Defendant Union Pacific Railroad Company's ("UP") Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment. I have personal knowledge of the facts set forth herein, and if called upon to testify thereto, I could and would competently do so under oath.

2. I am the Manager of Shop Operations ("MSO") for UP at Bloomington, California. I have responsibilities at three UP locations - Commerce, California; Bloomington, California; and Carson, California. I have worked as the

1 Manager of Shop Operations for about 11 years, but I have worked for UP for about
2 24 years. I am the only MSO for UP's Mechanical Department in Los Angeles.

3 3. As an MSO, I indirectly supervise approximately 550 agreement
4 (meaning union) employees. My job duties consist of, among other things,
5 handling all administration items regarding UP's Mechanical Department
6 employees and operations at Commerce, California; Bloomington, California; and
7 Carson, California. My administration duties include contract services, handling
8 environmental issues, and handling employee discipline and training. As part of
9 my employee discipline duties, I am often called to testify at internal UP
10 investigation hearings concerning employee discipline, as well as hearings
11 concerning attendance issues or workplace violence.

12 4. During my employment, I indirectly supervised Plaintiff. Due to that,
13 and my role, I knew Plaintiff had attendance and disciplinary issues during his
14 employment with UP. Around December 2015, I learned that Plaintiff was having
15 attendance issues and had attendance issues in the past. In September 2015, UP
16 began utilizing a new system to track attendance ("attendance system"). This
17 system is set up with predefined parameters set up to trigger an attendance alert
18 after an employee has missed a certain number of days. I am not aware of what
19 predefined parameters UP initially set up regarding what number of missed days
20 would trigger an attendance alert. Once I receive an attendance alert about a UP
21 employee, I write a letter regarding their attendance issues.

22 5. Around December 17, 2015, Plaintiff was having attendance issues.
23 As a result, I prepared and sent an Attendance Alert Notice to Plaintiff on or around
24 December 17, 2015, concerning his attendance issues and asking him to address
25 that issue with his local manager. A true and correct copy of my December 17,
26 2015, Attendance Alert Notice to Plaintiff is attached hereto as **Exhibit A**.

27 6. Typically, I am made aware of any investigation hearings for
28 employees in any of the three California locations I am involved with. At that

1 point, I typically prepare paperwork for the hearing, send out notices to witnesses,
2 arrange for a Hearing Officer, and arrange for a court reporter to be present.

3 7. UP's Mechanical Department has only a few employees qualified as
4 a Hearing Officer for dismissal hearings like Plaintiff's. UP likes to try to assign a
5 Hearing Officer that works in the same department as the employee being
6 investigated. Andreas Mader was one of the UP employees qualified as a Hearing
7 Officer for dismissal hearings like Plaintiff's. To qualify as a Hearing Officer, UP
8 requires attendance and completion of a multi-day course taught by UP Labor
9 Relations. I know this because I am also qualified as a Hearing Officer and
10 attended that course.

11 8. Around November 2017, UP's Mechanical Department wanted
12 Mr. Mader to handle all dismissal hearings, if possible. It was also my
13 understanding that Plaintiff's Union had time limits set in their Collective
14 Bargaining Agreement ("CBA") regarding investigating employees. As such,
15 Mr. Dunger's hearing was scheduled for November 17, 2017. Based on the need
16 for a qualified Hearing Officer, availability, and UP's Mechanical Department's
17 desire to have Mr. Mader oversee dismissal hearings, I contacted Mr. Mader, and
18 arranged to have him serve as Plaintiff's Hearing Officer. At that time, Mr. Mader
19 was working out of UP's Omaha, Nebraska headquarters.

20 9. Brad Steffel notified me that Plaintiff was going to be charged for
21 dishonestly misusing FMLA leave, which meant this issue would go to a hearing.
22 Mr. Steffel was set to be on vacation the week that Plaintiff's hearing was
23 scheduled for, so I agreed to appear and present evidence instead.

24 10. In preparation for Plaintiff's November 17, 2017, hearing, I gathered
25 relevant documents from UP's APDS system (a system that stores employee files
26 digitally). I specifically gathered the following documents:

27 (a) A November 9, 2017, letter from Brad Steffel to Thomas
28 Dunger with the subject line "Notice of Investigation" indicating it was delivered

1 to John Lemus with tracking and delivery confirmation which was attached to
2 Mr. Dunger's hearing transcript as Exhibits 1, 2.1, 2.2, and 2.3. A true and correct
3 copy of that letter is attached hereto as **Exhibit B**.

4 (b) A November 10, 2017, letter from Brad Steffel to Thomas
5 Dunger with the subject line "Notice of Investigation" which was attached to
6 Mr. Dunger's hearing transcript as Exhibit 3. A true and correct copy of that letter
7 is attached hereto as **Exhibit C**.

8 (c) UP's General Code of Operating Rules, Rule 1.6, dated April 7,
9 2010, and Appendix C: Glossary defining "dishonest" which was attached to
10 Mr. Dunger's hearing transcript as Exhibits 4.1 and 4.2. A true and correct copy
11 of Rule 1.6 and Appendix C is attached hereto as **Exhibit D**.

12 (d) UP's Family & Medical Leave Policy ("FMLA policy")
13 indicating it was revised August 5, 2015, which was attached to Mr. Dunger's
14 hearing transcript as Exhibit 5.1. A true and correct copy of UP's FMLA policy is
15 attached hereto as **Exhibit E**.

16 (e) UP's Use Family Medical Leave Appropriately policy ("leave
17 abuse policy") which was attached to Mr. Dunger's hearing transcript as Exhibit 6.
18 A true and correct copy of UP's leave abuse policy is attached hereto as **Exhibit F**.

19 (f) UP's Ethics Bulletin: Use Family Medical Leave appropriately
20 ("Ethics Bulletin") posting dated April 21, 2017, which was attached to
21 Mr. Dunger's hearing transcript as Exhibit 7. A true and correct copy of UP's
22 Ethic's Bulletin is attached hereto as **Exhibit G**.

23 (g) A October 6, 2017, letter from UP's Health and Medical
24 Services Department to Mr. Dunger regarding his leave which was attached to
25 Mr. Dunger's hearing transcript as Exhibit 8.1. A true and correct copy of that
26 letter is attached hereto as **Exhibit H**.

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1 (h) Two screenshots from UP's online human resources system
2 showing Mr. Dunger's employee ID number as 0044911 and showing that his
3 intermittent leave was approved as of October 5, 2017, through October 5, 2018,
4 which was attached to Mr. Dunger's hearing transcript as Exhibits 9 and 10. A true
5 and correct copy of those screenshots are attached hereto as **Exhibit I**.

6 (i) Mr. Dunger's EDCS calendar for October 2017 showing days
7 he used FMLA leave which was attached to Mr. Dunger's hearing transcript as
8 Exhibit 11. A true and correct copy of that EDCS calendar is attached hereto as
9 **Exhibit J**.

10 (j) A report indicating vacation days that were available to
11 Mechanical employees in 2017 which was attached to Mr. Dunger's hearing
12 transcript as Exhibit 12. A true and correct copy of that report is attached hereto
13 as **Exhibit K**.

14 (k) A call log indicating days in which Mr. Dunger called UP's
15 Layoff Line to request FMLA and/or paid vacation days in 2017 which was
16 attached to Mr. Dunger's hearing transcript as Exhibit 13. A true and correct copy
17 of that call log is attached hereto as **Exhibit L**.

18 (l) An FMLA Absence Detail report indicating days in which
19 Mr. Dunger requested and/or used leaves from 2014 through 2017 that was
20 attached to Mr. Dunger's hearing transcript as Exhibit 14.1. A true and correct
21 copy of that report is attached hereto as **Exhibit M**.

22 (m) A video that Brad Steffel told me he had on his phone of Victor
23 Prado playing a video on his phone depicting Plaintiff and others on a fishing boat.
24 I retrieved the video from Mr. Steffel and saved it to a flash drive, which I presented
25 at Mr. Dunger's hearing. The flash drive was attached as Exhibit 15 to
26 Mr. Dunger's hearing transcript. A true and correct copy of that video is attached
27 hereto as **Exhibit N**.

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1 (n) An Employee Information sheet indicating Mr. Dunger's
2 employee information which was attached to Mr. Dunger's hearing transcript as
3 Exhibit 16.1. A true and correct copy of that sheet is attached hereto as **Exhibit O**.

4 (o) An Employee Information sheet indicating Jassier Vargas'
5 employee information which was attached to Mr. Dunger's hearing transcript as
6 Exhibit 16.2. A true and correct copy of that sheet is attached hereto as **Exhibit P**.

7 (p) An Employee Information sheet indicating Harrison Scharf's
8 employee information which was attached to Mr. Dunger's hearing transcript as
9 Exhibit 16.3. A true and correct copy of that sheet is attached hereto as **Exhibit Q**.

10 (q) An Employee Information sheet indicating John Lemus'
11 employee information which was attached to Mr. Dunger's hearing transcript as
12 Exhibit 16.4. A true and correct copy of that sheet is attached hereto as **Exhibit R**.

13 (r) A Work or School Excuse dated October 19, 2017, signed by
14 Scott Lizotte requesting that Mr. Dunger be excused from work which was attached
15 to Mr. Dunger's hearing transcript as Exhibit 17. A true and correct copy of that
16 doctor's note is attached hereto as **Exhibit S**.

17 11. On or about November 17, 2017, I appeared on behalf of UP at
18 Plaintiff's hearing. I presented those documents which I had gathered from UP's
19 APDS system, and, to my knowledge, they were attached to the transcript of
20 Plaintiff's hearing as exhibits.

21 12. I testified during the November 17, 2017, hearing and identified
22 Plaintiff in a Facebook video that was presented as evidence at the hearing taken
23 and given to me by Brad Steffel. The video depicted Plaintiff, and others on a
24 fishing trip. I was able to identify Plaintiff in the video, as well as identify his voice
25 in the video, because I had worked with him off and on throughout my time as
26 Manager of Shop Operations. Because I worked with Plaintiff, I knew what he
27 looked like and what his voice sounded like. I knew UP granted Plaintiff FMLA
28 leave for himself, but I was not aware of his medical condition.

1 I declare under penalty of perjury, under the laws of the United States of
2 America, that the foregoing is true and correct.

3 Executed this 5 day of April, 2019, at Bloomington CA.

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6 Daniel Glenn

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Cover Page – Exhibit A

Daniel Glenn
Manager Loco Ops
Mechanical Department

UNION PACIFIC RAILROAD COMPANY

2000 S. Sycamore Ave
Bloomington, CA 92316



Cert Mail 7015 0640 0005 8960 1349

12-17-15

Thomas Dunger
P.O. Box 129
Crestline, CA 92325

Employee Id: 0444911
Craft: IAM

Subject: ATTENDANCE ALERT AND ADVISORY

Dear Mr. Dunger:

A recent review of your work history indicates your attendance is not satisfactory under the **UPRR Operating, Supply and Executive Departments Attendance Policy** (hereinafter "Policy"). A copy of the Policy is attached for your review. I've also enclosed a copy of your recent work history.

As a professional, you are expected to protect your job assignment on a full-time basis. Full-time is defined in the Policy as being available to work your assignment, whenever you are scheduled to work. Any unanticipated absences from work, particularly a refused call, no show, tardiness, or leaving prior to end of shift can negatively impact train service, commitments to our shippers and your co-workers ability to plan on and off duty activities. In addition, conditional FMLA layoffs taken pending the approval of the certification required under the Family Medical Leave Act can revert to unexcused absences and are taken into account for purposes of managing attendance.

You are required to contact your local manager to review your attendance record and any documentation you have that may explain your absences from work and your action plan for improving your attendance. Please contact your local manager, within the next 5 days, to schedule an appointment for this conference or review. You may also contact Manager of Operations, Daniel Glenn, at 909-685-2721 to schedule an appointment for an attendance conference or review.

Personal circumstances may entitle you to authorized leave or may explain certain attendance issues. Therefore, I have listed below several Union Pacific resources you can contact for guidance or assistance.

Resource	Contact	Phone
Employee Assistance Program	Help Line	1-800-779-1212
Operation Red Block	Help Line	1-866-311-7255
Drug and Alcohol Info Line	Help Line	1-800-840-3784
Peer Support	Help Line	1-800-877-5707
Health & Wellness Services/OHN	http://home.www.uprr.com/emp/ec/health/nurse_contacts.shtml	
Family Medical Leave	Help Line	1-877-275-8747, Option 4
Alertness Management/OHN	http://home.www.uprr.com/emp/ec/health/nurse_contacts.shtml	

Union Pacific is counting on you to improve your attendance and appropriately address any circumstances that may necessitate your absence from work so no disciplinary action is necessary.

Respectfully,

Daniel K. Glenn
Manager Locomotive Operations

cc. Juan Estrada

ATTACHMENTS: Attendance Policy / DSS Work History

UP_Dunger_000021

Attendance Conference

12/17/2015

Thomas Dunger
Employee ID: 0444911

This is to confirm our conference took place on 12/17/15 (date) at Commerce, CA (location).

Job Title:
Precision Mach Oper

Description of Conference Event:

You allegedly failed to protect your employment on a full time basis through frequent or pattern layoffs and/or failure to report for service between 09/15/2015 and 12/16/2015

Agreement Professional's Signature: [Signature] Date: 12-17-15

Manager's Signature: [Signature] Date: 12/17/15

Employee comments:

majority court dates.

Manager comments:

(Please note if Union Rep was present.)

Present - John Lomas

UP_Dunger_000020

Cover Page – Exhibit B



11/09/2017

Thomas Dunger
Employee ID: 0444911
P.O. Box 129
Crestline, CA 92325

Subject: NOTICE OF INVESTIGATION

Dear Thomas Dunger:

Please report to Commerce Diesel Facility, 4341 E Washington Blvd Commerce, CA at 08:00 hours on 11/17/2017 for the hearing to develop the facts and determine your responsibility, if any, in connection with the below charge.

On 10/21/2017, at the location of Commerce Diesel Facility, at approximately 20:38 hours, while employed as a Machinist, you allegedly used FMLA-Vacation in a manner that was not consistent with the serious medical condition for which you received an FMLA entitlement from UPRR Health Services. You were allegedly dishonest when you requested FMLA Vacation time for 10/20/2017 and / or 10/21/2017. This is a possible violation of the following rule(s) and/or policy:
1.6: Conduct - Dishonest

Under the MAPS Policy, this violation is a Dismissal event. Based upon your current status, if you are found to be in violation of this alleged charge, Dismissal may result.

The investigation will be conducted in accordance with applicable provisions of the collective bargaining agreement between the Company and the organization representing your craft or class. You are entitled to representation and to present witnesses at your own expense in accordance with the agreement. Any request for postponement must be submitted in writing, including reason therefore. A copy of your written request for postponement must be given to me. I can be reached at phone number 323-475-3831.

The Rail Safety Improvement Act requires employees obtain their mandatory rest before attending a hearing. If you work an Hours of Service (HOS) covered position and you have not obtained the mandatory rest prior to commencement of the hearing, you cannot, consistent with the requirements of the RSIA, be allowed to attend or participate in the hearing and will be considered as having elected not to attend the hearing.

Respectfully,

Brad Steffel
Sr Mgr Sys Logo Facil

cc: Derrick D Battle, derrick.battle@districtlodge19.com - E-Mail
Juan N Estrada, jnestrad@up.com - E-Mail

DELIVERED TO MACHINIST UNION REP JOHN LEAOS
ON 11/09/2017 @ 11:30 PM PT.

USPS.com® - USPS Tracking® Results



Page 1 of 4

USPS Tracking®

FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Tracking Number: 70160340000072982186

Remove X

Your item was delivered at 2:28 pm on November 13, 2017 in CRESTLINE, CA 92325.

 **Delivered**

November 13, 2017 at 2:28 pm

DELIVERED

CRESTLINE, CA 92325

Get Updates 

Text & Email Updates



Tracking History



November 13, 2017, 2:28 pm

Delivered

CRESTLINE, CA 92325

Your item was delivered at 2:28 pm on November 13, 2017 in CRESTLINE, CA 92325.

November 13, 2017, 11:31 am

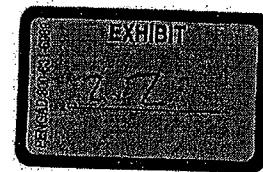
Available for Pickup

CRESTLINE, CA 92325

USPS.com® - USPS Tracking® Results

Page 2 of 4

November 13, 2017, 11:29 am
Arrived at Unit
CRESTLINE, CA 92325



November 13, 2017, 9:12 am
In Transit to Destination
On its way to CRESTLINE, CA 92325

November 12, 2017, 10:12 pm
Departed USPS Regional Facility
SAN BERNARDINO CA DISTRIBUTION CENTER

November 12, 2017, 9:23 am
In Transit to Destination
On its way to CRESTLINE, CA 92325

November 11, 2017, 11:58 am
Arrived at USPS Regional Facility
SAN BERNARDINO CA DISTRIBUTION CENTER

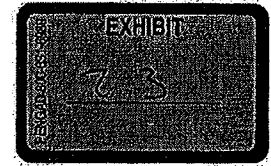
November 11, 2017, 9:07 am
In Transit to Destination
On its way to CRESTLINE, CA 92325

November 10, 2017, 7:07 pm
Arrived at USPS Regional Facility
SANTA ANA CA DISTRIBUTION CENTER

Product Information

Postal Product:

Features:
Certified Mail™



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mail piece or on the front if space permits.</p> <p>1 Article Addressed to:</p> <p><i>Thomas Dunger</i> <i>P.O. Box 124</i> <i>Crestline, CA 92325</i></p> <p>2 Article Number (Transfer from service label)</p> <p><i>7016 0340 0000 7298 2186</i></p>		<p>A. Signature</p> <p><i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received By (Printed Name)</p> <p><i>Tom Dunger</i></p> <p>C. Date of Delivery</p> <p><i>11/15/18</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Add'l Signature <input type="checkbox"/> Priority Mail Express</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p>Domestic Return Receipt</p>	

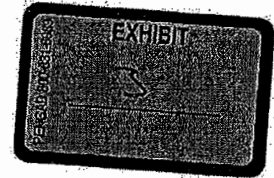
UP_Dunger_000443

Exhibit B-13

Cover Page – Exhibit C



BUILDING AMERICA®



11/10/2017

Thomas Dunger
Employee ID: 0444911
P.O. Box 129
Crestline, CA 92325

Subject: NOTICE OF INVESTIGATION

Dear Thomas Dunger:

Please report to Commerce Diesel Facility, 4341 E Washington Blvd Commerce, CA at 08:00 hours on 11/17/2017 for the hearing to develop the facts and determine your responsibility, if any, in connection with the below charge.

On 10/21/2017, at the location of Commerce Diesel Facility, at approximately 20:38 hours, while employed as a Machinist, you allegedly used FMLA-Vacation in a manner that was not consistent with the serious medical condition for which you received an FMLA entitlement from UPRR Health Services. You were allegedly dishonest when you requested FMLA Vacation time for 10/20/2017 and / or 10/21/2017. This is a possible violation of the following rule(s) and/or policy:

1.6: Conduct - Dishonest

Under the MAPS Policy, this violation is a Dismissal event. Based upon your current status, if you are found to be in violation of this alleged charge, Dismissal may result.

The investigation will be conducted in accordance with applicable provisions of the collective bargaining agreement between the Company and the organization representing your craft or class. You are entitled to representation and to present witnesses at your own expense in accordance with the agreement. Any request for postponement must be submitted in writing, including reason therefore. A copy of your written request for postponement must be given to me. I can be reached at phone number 323-475-3831.

The Rail Safety Improvement Act requires employees obtain their mandatory rest before attending a hearing. If you work an Hours of Service (HOS) covered position and you have not obtained the mandatory rest prior to commencement of the hearing, you cannot, consistent with the requirements of the RSIA, be allowed to attend or participate in the hearing and will be considered as having elected not to attend the hearing.

Respectfully,

Brad Steffel
Sr Mgr Sys Loco Facil

cc: Derrick D Battle, derrick.battle@districtlodge19.com - E-Mail
Juan N Estrada, jnestrad@up.com - E-Mail

UNION PACIFIC RAILROAD
100 Douglas Street
Omaha, Nebraska 68179

UI2_Dunger_000444

Cover Page – Exhibit D



Current User: omnp293
Logout

Rule Details

UPRR - General Code of Operating Rules

1.6: Conduct

Employees must not be:

1. Careless of the safety of themselves or others
2. Negligent
3. Insubordinate
4. Dishonest
5. Immoral
6. Quarrelsome
- or
7. Discourteous

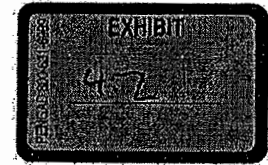
Any act of hostility, misconduct, or willful disregard or negligence affecting the interest of the company or its employees is cause for dismissal and must be reported. Indifference to duty or to the performance of duty will not be tolerated.

Rule Updated Date

April 7, 2010

Rule Link

<http://home.www.uprr.com/ert/secure/jas/viewBook/view/rule/>



APPENDIX C: GLOSSARY

TRIGGERING EVENT: Any rule or policy violation resulting in dismissal or remedial training under the MAPS progression. Employees who violate Rule 1.5, Drugs and Alcohol, in conjunction with a triggering event violation will not be eligible for a one time return to service opportunity through EAP and will be terminated from service.

The following definitions, while not all inclusive or absolute, are intended to guide the determination of whether various acts by employees meet necessary criteria to be considered a violation of applicable Dismissal Rules:

ALTERCATION: When an employee's actions cause or result in a quarrel characterized by physical activity such as pushing, shoving or fighting.

CARELESS OF SAFETY: When an employee's actions or failure to take action demonstrate an inability or an unwillingness to comply with safety rules as evidenced by repeated safety rules infractions. When an employee commits a specific rule(s) infraction that demonstrates a willful, flagrant, or reckless disregard for the safety of themselves, other employees, or the public.

DISHONEST: When an employee's actions or statements constitute lying, cheating, theft or deception.

FELONY CONVICTION: The conduct of an employee leading to the conviction of a felony in state or federal court is prohibited. Guilty pleas, diversion programs, deferred decisions or adjudication, and other alternative sentencing or adjudication procedures, regardless of local nomenclature, are considered convictions under this policy.

FRAUD: When an employee's actions or statements are intentional misrepresentations of fact for the purpose of deceiving others so as to secure unfair or unlawful gain.

IMMORAL: When an employee's actions are contrary to commonly accepted moral principles.

INSUBORDINATION: When an employee's actions or statements indicate a refusal (as opposed to a failure for cause) to carry out the instructions of a supervisor which are work, safety or policy related and which conform to accepted Company and industry practice, or when an employee demonstrates gross disrespect towards a supervisor. **NOTE:** Any failure to comply with Union Pacific's Drug and Alcohol Policy will be considered insubordination.

NEGLIGENT: An employee demonstrates negligence when his or her actions or failure to take action causes, or contributes to, the harm or risk of harm to the employee, other employees, the general public or company property.

QUARRELSOME: When an employee's continued behavior is inclined or disposed toward an angry verbal confrontation with others in the workplace.

THEFT: When an employee's action is intended to and/or results in the taking and/or removing of property or other items of value from the Company, its customers, or other employees without proper authority.

Cover Page – Exhibit E



BUILDING AMERICA®



Family & Medical Leave Policy, including Active Duty Family Military Leave & Military Caregiver Leave, for Employees Subject to Collective Bargaining Agreements

(Revised August 5, 2015)

Purpose

- ✓ This policy outlines conditions and procedures under which eligible employees may take limited periods of time off without pay for certain qualifying medical, family-related, and family-military related reasons. This policy is intended to cover eligibility for unpaid leave, including unpaid leave authorized in the Family and Medical Leave Act and the Family Military Leave Act, including Military Caregiver Leave.

This policy is separate and apart from the Military Leave Policy, which applies to an employee's own active or reserve military service leave.

Scope & Eligibility

- ✓ The provisions of this policy apply to all eligible Union Pacific Railroad employees subject to collective bargaining agreements and to all absences designated as FMLA-related.
- ✓ 1.1. An employee is eligible for FMLA leave if he or she:
 - ✓ (a) Has been employed for at least 12 months; and
 - ✓ (b) Has at least 1,250 hours of service during the 12-month period immediately preceding the start of leave.
- ✓ The 12 months of employment do not need to be consecutive. If an employee is maintained on the payroll for any part of a week, the week will count as a week of employment. For purposes of determining whether intermittent employment qualifies for meeting the 12-month period, 52 weeks is deemed equal to 12 months.

1.2. If an employee has accrued vacation or personal leave, he or she may elect, but will not be required, to substitute such paid time for all or any part of unpaid FMLA leave subject to terms of any applicable collective bargaining agreement. Accordingly, the employee will receive pay pursuant to Union Pacific's applicable paid leave policies and any governing collective bargaining agreement provisions during the period of otherwise unpaid FMLA leave. Therefore, any conditions or procedural requirements governing use of that accrued paid leave must be met in order for an employee to receive pay for FMLA leave.

1.3. An employee may choose (or may be required, depending on the employee's craft) to use paid leave concurrent with FMLA leave. In order to use paid leave for FMLA leave, employees must comply with Union Pacific's normal paid leave policies and follow your department's procedures for requesting such paid leave.

Types of FMLA Leave & Duration

Various forms of FMLA leave are identified as follows:

2.1. Basic and Active Duty Family Military Leave.

FMLA leave of absence taken for family and/or medical reasons, including a qualifying family military event, is defined as an approved unpaid absence available to eligible employees not to exceed 12 work weeks in a rolling calendar year. Leave may be taken for the following reasons:

- Upon the birth of the employee's child;
- Upon the placement of a child with the employee for adoption or foster care;

- When the employee is needed to care for his or her child, spouse, or parent who has a serious health condition;
- When the employee is unable to perform the essential functions of his or her position because of a serious health condition; or
- Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is either (1) a member of the National Guard and/or Reserves and is on active duty (or has been notified of an impending call or order to active duty) in support of a national emergency, or a military action or operation outside the U.S. or (2) is a member of the regular Armed Forces who is or has been deployed to an assignment outside the U.S.

2.2. Military Caregiver Leave

An FMLA leave of absence taken as Military Caregiver Leave is defined as an approved, unpaid absence that may be taken to care for a spouse, son, daughter, parent, or next of kin who is either (1) a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty while on active duty or (2) a veteran who has left military service sometime within the previous five years, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that the veteran incurred in the line of duty while on active duty, and that manifested itself before or after the service member became a veteran. Serious injury or illness is one that was incurred in the line of duty on active duty that may render him or her medically unfit to perform the duties of his or her office, grade, rank or rating.

Employees who are eligible for Military Caregiver Leave are entitled to a total of 26 work weeks of unpaid Military Caregiver Leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes Military Caregiver Leave and ends 12 months after that date.

The leave described in Section 2.2 applies on a per-covered service member, per-injury basis. However, no more than 26 work weeks of leave may be taken within a single 12-month period by any employee. Even in circumstances where an employee takes other leave covered by the federal FMLA, including Active Duty Leave described in Section 2.1, the aggregate leave under this policy shall not exceed 26 work weeks during that 12-month period.

III. Definitions of "Serious Health Condition" & "Qualifying Exigency"

As used above in Section II, "serious health condition," which relates to basic FMLA leave, and "qualifying exigency," which relates to Active Duty Family Military Leave, are defined as:

3.1. Serious Health Condition

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

(a) Inpatient care in a hospital, hospice, or residential care facility; or

(b) Continuing treatment by a healthcare provider involving:

i) A period of incapacity of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:

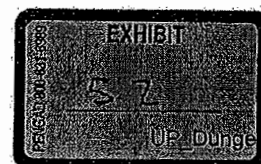
- Treatment two or more times by a healthcare provider within 30 days of the start of the incapacity; or
- Treatment by a healthcare provider on at least one occasion within 7 days of the start of the incapacity that results in a regimen of continuing treatment under the supervision of a health care provider;

ii) Any period of incapacity due to pregnancy or for prenatal care;

iii) Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits of at least twice per year for treatment by a healthcare provider (this includes conditions that may cause episodic rather than a continuing period of incapacity);

iv) A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective during which time the employee must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider; and

v) Any period of absence to receive multiple treatments by a healthcare provider.



UP: Family & Medical Leave Policy, including Active Duty Family Military Leave & Military Caregiver Lea... Page 3 of 6

3.2. Qualifying Exigency.

A "qualifying exigency" as used in connection with Active Duty Family Military Leave only refers to the following circumstances:

- (a) **Short-notice deployment:** To address issues arising when the notification of a call or order to active duty is seven (7) days or less;
- (b) **Military events and related activities:** To attend official military events or family assistance programs or briefings;
- (c) **Childcare and school activities:** For qualifying childcare and school-related reasons for a child, legal ward, or stepchild of a covered military member;
- (d) **Financial and legal arrangements:** To make or update financial or legal affairs to address the absence of a covered military member;
- (e) **Counseling:** To attend counseling provided by someone other than a healthcare provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
- (f) **Rest and recuperation:** To spend up to five (5) days for each period in which a covered military member is on a short-term rest leave during a period of deployment; and
- (g) **Post-deployment activities:** To attend official ceremonies or programs sponsored by the military for up to 90 days after a covered military member's active duty terminates or to address issues arising from the death of a covered military member while on active duty.

IV. Other Considerations

4.1. Leave may be taken intermittently or on a reduced leave schedule when it is medically necessary and the employee is required to care for a family member with a serious health condition or the employee is taking FMLA leave for his or her own serious health condition. When it is physically impossible for an employee to return to work during a work assignment after the taking of intermittent FMLA leave, the entire amount of work missed will be counted against the employee's FMLA leave entitlement.

4.2. Leave may be taken for the birth or placement of a child; leave cannot be taken on a reduced leave schedule or intermittent basis. Under such circumstances, leave must be taken in a single block of time and within one year of the qualifying event.

4.3. A husband and wife who are both employed by the Company are each entitled to 12 work weeks of FMLA leave for basic and family military leave.

4.4. A husband and wife who are both employed by the Company are entitled to a combined 26 work weeks of Military Caregiver Leave.

V. FMLA Notice Requirements

Employees should provide maximum advance notice of their intentions to take FMLA leave to allow for the time necessary to reassign duties or otherwise fill the assignment.

As of Jan. 1, 2014 all requests for FMLA should be made through the eHealthSafe system. Applicable forms are made available through eHealthSafe during the request process. Review this [FMLA Quick Reference Guide \(QRG\)](#) for step-by-step instructions on how to formally request FMLA.

5.1. Employees must give 30-days advance notice of the need for FMLA leave when it is foreseeable for the birth or placement of a child, for planned medical treatment, or when leave is due to active duty of an immediate family member. All employees are required to comply with their department's or work group's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

5.2. When 30-days advance notice is not possible, notice is required as soon as practicable.



5.3. When planning or scheduling medical treatment, an employee should consult with his or her supervisor and make reasonable efforts to schedule the leave so as not to unduly disrupt operations.

5.4. In the case of an intermittent or reduced leave schedule, the employee must provide the reasons why the taking of intermittent or reduced schedule leave is necessary and provide the schedule for treatment to allow an opportunity to reassign duties or otherwise fill the assignment.

5.5. When the approximate timing of the need for leave is not foreseeable, an employee must provide notice to Union Pacific as soon as practicable under the facts and circumstances of the particular case. It generally should be practicable for the employee to provide notice of leave that is unforeseeable within the time prescribed by the employee's department's or work group's usual and customary notice requirements applicable to such leave. Notice should be given either in person or by telephone when medical emergencies are involved and may be given by the employee's spouse or other family member if the employee is medically unable to provide notice.

5.6. If an employee fails to give 30 days notice for foreseeable leave and has no reasonable excuse for the delay, FMLA may be denied until adequate notice of the need is provided, and the leave may be delayed as a result of the inadequate or delayed notice.

5.7. Nothing herein changes the normal call-in procedures or requirements for requesting leave that have been established by the employee's department or workgroup absent unusual circumstances. Where an employee does not comply with the usual notice and procedural requirements, and no unusual circumstances justify the failure to comply, FMLA-protected leave may be delayed or denied.

VI. Conditions of Leave & Certification of Medical Need

6.1. The reason for the leave must be covered under FMLA and the employee must provide the appropriate, completed FMLA Certification of Health Care Provider Form, which is made available during the eHealthSafe FMLA request process, supporting the need for the leave. A request for reasonable documentation of family relationship verifying the legitimacy of a FMLA Leave may also be required.

6.2. An employee will have fifteen (15) days in which to return a completed Certification Form. If the employee fails to provide timely certification after being required to do so, the employee may be denied the taking of the leave under FMLA. If the Certification Form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven (7) days after receiving such written notice to provide the necessary information.

6.3. If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the Company, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of the Company, may be required. The opinion of the third healthcare provider, which the Company and the employee jointly select, will be the final and binding decision.

6.4. When the Company identifies information, such as a weekend pattern of FMLA usage, that casts doubt upon the employee's stated reason for the absences and there is no apparent medical reason for the timing of those absences along the pattern, and when the Company identifies an employee whose FMLA use is greater than the estimated frequency and duration certified by the employee's Health Care Provider, the Company may request recertification.

6.5. A request for Active Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave Form, as well as appropriate documentation, including the covered military member's active duty orders.

6.6. A request for Military Caregiver Leave must be supported by the Certification for Serious Injury or Illness of Covered Service Member Form, as well as any necessary supporting documentation.

6.7. As of Jan. 1, 2014 all requests for FMLA should be made through the eHealthSafe system. Applicable forms are made available through eHealthSafe during the request process. Review this [FMLA Quick Reference Guide \(QRG\)](#) for step-by-step instructions on how to formally request FMLA.

VII. Maintenance of Benefits

An employee's healthcare coverage will be maintained by the Company during FMLA absences to the same extent that coverage was provided prior to the leave.



7.1. Any portion of the health plan premiums that had been paid by the employee prior to FMLA leave must continue to be paid by the employee during the FMLA leave period and handled in the same manner as for other periods of unpaid leave.

7.2. When, at an employee's request, accrued vacation, personal days, or sick leave is taken concurrently with FMLA leave, the employee's share of healthcare premiums will be paid in the normal manner through payroll deductions.

7.3. Medical and dental benefits may be continued during an FMLA leave of absence by the employee making his/her applicable monthly contributions to UPRR to cover the cost of participation in the plan. If an employee's health insurance premium is more than 30 days late, UPRR will mail a written notice advising such employee that the payment has not been received. Fifteen days after the notice has been mailed, UPRR will discontinue the employee's health insurance benefits while on FMLA leave. Upon returning from leave, the employee will be reinstated on the same terms and conditions as prior to taking leave without having to fulfill any qualifying period or physical examination.

7.4. Except as required by the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, the Company's obligation to maintain health benefits under FMLA ceases if and when the employee (1) informs the Company of his or her intent not to return from leave; (2) fails to return from leave and thereby terminates employment; or (3) the employee exhausts his or her FMLA leave entitlement.

7.5. The Company may recover healthcare premiums from an employee who does not return to work after FMLA leave, unless the employee can show that the failure to return is due to the continuation, recurrence, or onset of an FMLA qualifying serious health condition or due to circumstances beyond the employee's control.

VIII. Reinstatement Rights

8.1. Employees will return to service as provided for under applicable collective bargaining agreements.

8.2. An employee returning to service after FMLA leave has no greater right to reinstatement or to other benefits and conditions of employment than if he or she had been continuously employed during the FMLA leave.

8.3. Upon return from FMLA leave, an employee's benefits will be at the same level as before the leave began subject to any changes in benefit levels that may have taken place during the period of leave.

IX. Fraudulent FMLA Leave

An employee who fraudulently obtains FMLA leave is not protected by the FMLA's job restoration or maintenance of healthcare benefits provisions.

X. Failure to Return from Leave

The failure of an employee to return to work upon expiration of FMLA leave will subject the employee to termination in accordance with the applicable collective bargaining agreement.

XI. State & Local Laws

FMLA provisions do not supersede provisions of state or local law that provide greater family or medical leave rights.

XII. Changes in Policy

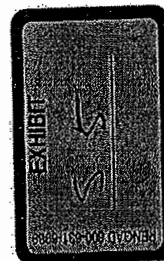
The Company reserves the right to modify the terms of this policy where benefits extended exceed FMLA requirements.

XIII. Miscellaneous

Nothing in this policy insulates an employee from the application of any applicable collective bargaining agreement and any other Company policies.

XIV. Need Help?

Employees requiring FMLA-related absences should contact their supervisor. The Company has the authority and responsibility to administer this leave policy, including deciding which absences from work will be charged as FMLA leave time. Questions concerning the FMLA or Union Pacific Railroad's policy and procedures for implementing the Act should be referred to the HR Service Center at (877) 275-8747 (ASK-UPHR), option 4, from 9 a.m. to 5 p.m., Central Standard Time.



UP: Family & Medical Leave Policy, including Active Duty Family Military Leave & Military Caregiver Lea... Page 6 of 6

XV. U.S. Department of Labor Contact Information

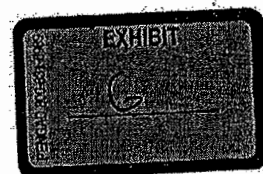
U.S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210
1-866-4-USA-DOL



Cover Page – Exhibit F



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Use Family Medical Leave Appropriately

The Family Medical Leave Act (FMLA) is designed to protect eligible employees' jobs so they can focus on qualifying personal or family serious medical situations, when necessary. Consider the following scenario. An employee had an approved FMLA case for a serious health condition. She had a planned Fourth of July holiday vacation beginning June 28, but had difficulty finding coverage for two scheduled shifts. The employee took a personal day July 2, but subsequently requested two days of FMLA leave for July 3 and 4 instead of returning to work. Employment was terminated for improperly taking FMLA leave to cover scheduled work days.

Consequences

The employee sued her employer, contending the company interfered with her right to use FMLA and discriminated against her for using FMLA. The court stated the employee's assumption to use FMLA whenever she wanted due to an approved case was wrong. The employee "conveniently overlook[ed]" that her use of leave *on each occasion* had to be the result of a serious health condition rendering her unable to perform one or more essential job functions. The employee had no proof her July 3 and 4 FMLA leave were for serious health conditions.

Policy

Employees should only use FMLA leave for its intended purpose. FMLA may provide up to 12 unpaid workweeks during a rolling 12-month period and is not a means to take additional time off from work not otherwise allowed under company policies or collective bargaining agreements. Please review Union Pacific's FMLA Policy.

Employees are reminded of their responsibilities when using FMLA leave:

- FMLA leave may only be used for its lawful purpose; intentional misuse and FMLA fraud are grounds for termination.
- An employee needing intermittent FMLA leave for a chronic condition must comply with Union Pacific's advance call-in procedures unless unusual circumstances prevent the employee from doing so (in which case the employee must provide notice as soon as he or she is able).
- Federal regulations clearly state that if an employee fails to provide timely notice, he or she may have the FMLA leave request delayed or denied and be subject to discipline as set forth in UP's attendance policy.
- FMLA regulations permit UP to request recertification if an employee's FMLA use is in excess of the frequency and duration identified by a health care provider, or if the employee has a pattern of taking leave in conjunction with rest days, weekends, or holidays.

More Information

Employees should report violations of UP's Ethics and Business Conduct Policy to a manager or to the UP Values Line at 800-998-2000. Employees uncertain about FMLA policy or with questions can contact the HR Service Center at 877-275-8747 (ASK-UPHR) from 9 a.m. to 5 p.m. Central Standard Time.

Questions regarding collective bargaining, including labor contracts and negotiations, should be submitted to Ask LR.

Cover Page – Exhibit G



BUILDING AMERICA®



UNION PACIFIC NEWS ■■■■ UPDATED DAILY

UPOnline

AROUND THE RAILROAD

Ethics Bulletin: Use Family Medical Leave Appropriately

April 21, 2017 | 09:10 a.m. CDT

The Family Medical Leave Act (FMLA) is designed to protect eligible employees' jobs to permit employees to focus on their own or a family member's qualifying, serious medical condition. The below situation summarizes a recent FMLA court case not related to Union Pacific.

Situation

An employee had an approved intermittent FMLA case for a recurring medical condition causing arthritis and painful flare-ups, requiring bed rest. One day after legitimate FMLA use, the employee drove to a pub, became intoxicated and was arrested driving home. The employee was released from jail the next day but used FMLA to lay off. Subsequently, the employee used additional FMLA time on days corresponding with court days for the DUI case.

Eventually, the employee's manager was made aware of the arrest and conviction, searched court records, and concluded the employee was falsely using FMLA to cover absences connected to the arrest. The employee responded the absences were legitimate. The employee denied being in jail or court at the times of FMLA use but was unable to provide evidence substantiating the denial.

The employee was terminated based on the manager's good faith belief that the employee had falsely claimed FMLA leave to cover absences connected with the arrest for driving while intoxicated.

Consequences:

In a subsequent lawsuit, the court found that the employer had not interfered with the employee's right to use FMLA and had not retaliated against the employee for using FMLA. The court ruled that the right to use FMLA extends only to cover absences caused by the medical reason for which the leave was certified. Furthermore, the court was not impressed with the employee's argument that the FMLA absences were coincidental with the court dates.

Policy

Employees should always use FMLA leave for its intended purpose. FMLA may provide up to 12 unpaid workweeks during a rolling 12-month period, but it is not a means to take additional time off from work for unrelated reasons not otherwise allowed under company policies or collective bargaining agreements. Please review UP's FMLA Policy.

Employees are reminded of their responsibilities when using FMLA leave:

- FMLA leave may only be used for its lawful purpose; intentional misuse and FMLA fraud are grounds for termination.
- An employee needing intermittent FMLA leave for a chronic condition must comply with UP's advance call-in procedures unless unusual circumstances prevent the employee from doing so (in which case the employee must provide notice as soon as he or she is able).
- Federal regulations clearly state that if an employee fails to provide timely notice, he or she may have the FMLA leave request delayed or denied and may be subject to discipline as set forth in UP's attendance policy.
- FMLA regulations permit UP to request recertification if an employee's FMLA use is in excess of the frequency and duration identified by a health care provider, or if the employee has a pattern of taking leave in conjunction with rest days, weekends, or holidays.

More Information

Employees should report violations of UP's Ethics and Business Conduct Policy to a manager or to the UP Values Line at 800-998-2000. Employees uncertain about FMLA policy or with questions can contact HR Services at 877-275-8747 (ASK-UPHR) from 9 a.m. to 5 p.m. Central Standard Time, Monday through Friday.

Questions regarding collective bargaining, including labor contracts and negotiations, should be submitted to Ask LR.

Comments

Cover Page – Exhibit H

UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179



October 06, 2017 EL035

Thomas E. Dungen
P.O. box 129
Crestline, CA 92325

Family Medical or Military Leave
Employee ID: 00444911

Dear Thomas E. Dungen:

Health and Medical Services has recently become aware that you may have a qualifying need for leave under the Family Medical Leave Act (FMLA), which also includes Family Military Leave.

Our records indicate that you have requested and have met the initial eligibility requirements for the following leave:

- * Leave Type: FED FMLA
- * Category: Self
- * Reason: Self - Health Condition

Enclosed are forms 16873 Notice of Eligibility and Employee Rights and Responsibilities, and the appropriate Certification form to certify your request for leave. Form 16873 is yours to keep for your records; it explains your eligibility for FMLA and your Rights and Responsibilities under the act.

You are required to submit a complete Certification form or supporting documentation to verify if the reason for your need for leave would qualify under the Family & Medical Leave Act.

Your Certification form or other supporting documentation should be returned to Health & Medical Services within 15 days of the date of this letter. You may start to use FMLA during the certification process. However if the appropriate certification form or other supporting documentation is not provided or does not substantiate your eligibility for leave as defined by the FMLA, all FMLA absences attributable to this leave request will revert to unexcused absences. These unexcused absences, in turn, may result in a violation of the applicable attendance or discipline policy. In the event your use of FMLA leave was for reasons other than its intended purpose, you may also be subject to discipline, up to and including termination of employment.

PLEASE NOTE: The enclosed information includes only a portion of the company's FMLA

www.up.com



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UP_Dungen_000455

UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179

policy. It is your responsibility to read and understand the entire policy when taking FMLA. For further information please go to http://home.www.uprr.com/emp/ec/policy/time_away/index.shtml

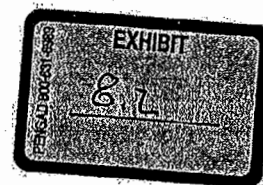
Information regarding the status of your FMLA request is available on the Employee tab in eHealthSafe. eHealthSafe is available on your MyUP page under the Employee menu.

If you have any questions, please contact Health & Medical Services at 877-275-8747 option 4.

Sincerely,

Health & Medical Services
Fax: 402-233-3305

cc:



www.up.com



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UP_Dunger_000456

Exhibit H-26

Cover Page – Exhibit I

Search: Employee ID

Search Criteria:

Personnel number: 00000000

Last name: dunger


First name: Thomas

Results List: 2 results found for Employee ID:

Personnel	Last name	First name	Middle name
00444811	Dunger	Thomas	
00444811	Dunger	Thomas	

Exhibit I-27

UP_Dunger_000457


[Back](#) [Search](#) [History](#) [Registration](#) [Employee](#) [Worklist](#) [Organizational Chart](#) [Finance](#) [SAP GUI](#) [Field Equipment](#) [Business Intelligence](#)

[View/Update Person](#) [Select/Unselect](#) [Human Resources](#) [Healthcare](#) [Firm Administration](#) [View Status and Chronology](#)

Search: [Log off](#) [Welcome Daniel Glenn](#)

[Full Screen](#) [Options](#)

Employee Status - Select Employee

[Previous](#) [Next](#) [Select Employee](#) [Check Status](#)

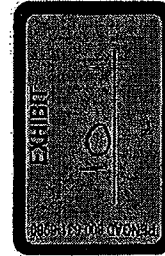
[View Chronology](#) [Service List](#) [Regulatory Compliance Status](#) [Restrictions & Accommodations](#) [FMLA Claims](#)

[FMLA Absence Detail](#) [View](#) [Standard View](#) [Print Version](#) [Export](#)

Star Date	End Date	Absence Type	Options	Last Usage Date	Duration / Frequency	Available Weeks
10/25/2013	10/25/2013	Maternity	More Info	10/25/2013	2008 Days and 1000 Hours (one month)	31

Note: This tab displays information regarding all Services for the employee that are open or were closed within the last 365 days. (Applies to FMLA on or after January 1, 2014 only).

- Full Administrator
 - Overview
 - Request a Service
 - Messages / Attachments
 - View Status and Chronology
 - Get Reports
 - FMLA Coordinator



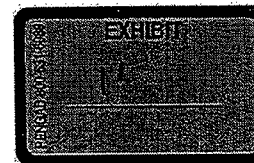
Cover Page – Exhibit J

UP:EDCS: Calendar

Page 1 of 1



EDCS Calendar

Current User: omnp293
Logout *

Location: COMMERCE LOCO Change Location

Filters

Employee: DUNGER, THOMAS E Employee ID: 0444911 Next

<< Previous

October 2017 Go Today

Next >>

October 2017 MTD Hours Worked: 144:00						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		* 3 * 08:00	* 4 * 08:00	* 5 * 08:00	* 6 * 08:00	* 7 * 08:00
		* 10 * 08:00	* 11 * 08:00	* 12 * 08:00	* 13 * 08:00	* 14 * 08:00
15	16	* 17 * 08:00	* 18 * 08:00 EPE	* 19 * 08:00 FMLA NO PAY	* 20 * 08:00 FMLA VACATION PAID	* 21 * 08:00 FMLA VACATION PAID
22	23	* 24 * 08:00	* 25 * 08:00	* 26 * 08:00	* 27 * 08:00	* 28 * 08:00
29	30	* 31 * 08:00				

Show Vacation Done

UP_Dunger_000459

Exhibit J-29

Cover Page – Exhibit K

UP: MVS: MVS Reports

Page 1 of 1



MVS MVS Reports

Current User: omrp293:
Logout

Error:

Please select the roster.

Reports

Select Location: CNRLO

Select Report: MVS Available Vacation Days

Select Year: 2017

Select Roster: ALL

Select Employee: ALL

Calendar View

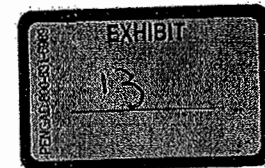
MVS Assigned Vacation Days

KEY: AVAILABLE FULL DID NO DATA AVAILABLE
(DAY OF MONTH - DAYS TAKEN(MAX OFF))

January 2017							February 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3-4.0(0)	2-6.0(6)	3-6.0(6)	4-3.0(6)	5-3.0(6)	6-2.0(6)	7-5.0(6)				2-1.0(6)	3-3.0(6)	4-4.0(6)	
8-2.0(6)	9-3.0(6)	10-1.0(6)	11-12-3.0(6)	13-1.0(6)	14-1.0(6)		5-5.0(6)	6-4.0(6)	7-1.0(6)	8-1.0(6)	9-4.0(6)	10-2.0(6)	11-3.0(6)
15-1.0(6)	16-1.0(6)	17-1.0(6)	18-2.0(6)	19-1.0(6)	20-3.0(6)	21-2.0(6)	12-1.0(6)	13-5.0(6)	14-4.0(6)	15-3.0(6)	16-2.0(6)	17-3.0(6)	18-2.0(6)
22-1.0(6)	23-2.0(6)	24-1.0(6)	25-1.0(6)	26-2.0(6)	27-4.0(6)	28-2.0(6)	19-4.0(6)	20-2.0(6)	21-2.0(6)	22-2.0(6)	23-1.0(6)	24-1.0(6)	25-2.0(6)
29-1.0(6)	30-1.0(6)	31-1.0(6)					26-2.0(6)	27-2.0(6)	28-1.0(6)				
March 2017							April 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1-1.0(6)	2-1.0(6)	3-1.0(6)	4-1.0(6)							1-6.0(6)
5-1.0(6)	6-1.0(6)	7-1.0(6)	8-2.0(6)	9-3.0(6)	10-3.0(6)	11-1.0(6)	2-2.0(6)	3-2.0(6)	4-2.0(6)	5-2.0(6)	6-3.0(6)	7-4.0(6)	8-5.0(6)
12-1.0(6)	13-2.0(6)	14-2.0(6)	15-4.0(6)	16-5.0(6)	17-6.0(6)	18-4.0(6)	9-6.0(6)	10-2.0(6)	11-2.0(6)	12-1.0(6)	13-3.0(6)	14-4.0(6)	15-5.0(6)
19-2.0(6)	20-3.0(6)	21-3.0(6)	22-2.0(6)	23-1.0(6)	24-2.0(6)	25-2.0(6)	16-6.0(6)	17-4.0(6)	18-2.0(6)	19-1.0(6)	20-1.0(6)	21-3.0(6)	22-6.0(6)
26-2.0(6)	27-4.0(6)	28-4.0(6)	29-3.0(6)	30-5.0(6)	31-5.0(6)		23-3.0(6)	24-3.0(6)	25-3.0(6)	26-2.0(6)	27-2.0(6)	28-4.0(6)	29-5.0(6)
May 2017							June 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1-2.0(6)	2-2.0(6)	3-1.0(6)	4-3.0(6)	5-5.0(6)	6-6.0(6)					1-4.0(6)	2-4.0(6)	3-6.0(6)
7-6.0(6)	8-4.0(6)	9-2.0(6)	10-1.0(6)	11-1.0(6)	12-4.0(6)	13-5.0(6)	4-4.0(6)	5-6.0(6)	6-6.0(6)	7-6.0(6)	8-6.0(6)	9-6.0(6)	10-5.0(6)
14-3.0(6)	15-3.0(6)	16-2.0(6)	17-2.0(6)	18-4.0(6)	19-5.0(6)	20-6.0(6)	11-4.0(6)	12-4.0(6)	13-4.0(6)	14-4.0(6)	15-3.0(6)	16-6.0(6)	17-4.0(6)
21-6.0(6)	22-5.0(6)	23-6.0(6)	24-3.0(6)	25-2.0(6)	26-3.0(6)	27-6.0(6)	18-6.0(6)	19-6.0(6)	20-5.0(6)	21-5.0(6)	22-6.0(6)	23-4.0(6)	24-5.0(6)
28-6.0(6)	29-2.0(6)	30-3.0(6)	31-2.0(6)				25-6.0(6)	26-5.0(6)	27-5.0(6)	28-4.0(6)	29-2.0(6)	30-1.0(6)	
July 2017							August 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1-5.0(6)			1-6.0(6)	2-5.0(6)	3-5.0(6)	4-3.0(6)	5-6.0(6)
2-5.0(6)	3-6.0(6)	4-5.0(6)	5-6.0(6)	6-6.0(6)	7-6.0(6)	8-5.0(6)	6-5.0(6)	7-2.0(6)	8-2.0(6)	9-5.0(6)	10-6.0(6)	11-6.0(6)	12-6.0(6)
9-6.0(6)	10-5.0(6)	11-4.0(6)	12-5.0(6)	13-4.0(6)	14-5.0(6)	15-6.0(6)	13-6.0(6)	14-4.0(6)	15-4.0(6)	16-5.0(6)	17-5.0(6)	18-4.0(6)	19-5.0(6)
16-5.0(6)	17-5.0(6)	18-6.0(6)	19-6.0(6)	20-4.0(6)	21-4.0(6)	22-6.0(6)	20-4.0(6)	21-4.0(6)	22-5.0(6)	23-4.0(6)	24-5.0(6)	25-4.0(6)	26-2.0(6)
23-6.0(6)	24-6.0(6)	25-6.0(6)	26-6.0(6)	27-3.0(6)	28-3.0(6)	29-6.0(6)	27-1.0(6)	28-4.0(6)	29-5.0(6)	30-3.0(6)	31-3.0(6)		
September 2017							October 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1-6.0(6)	2-6.0(6)	1-4.0(6)	2-4.0(6)	3-5.0(6)	4-6.0(6)	5-6.0(6)	6-4.0(6)	7-6.0(6)
3-5.0(6)	4-2.0(6)	5-6.0(6)	6-4.0(6)	7-6.0(6)	8-1.0(6)	9-4.0(6)	8-4.0(6)	9-6.0(6)	10-4.0(6)	11-5.0(6)	12-4.0(6)	13-3.0(6)	14-5.0(6)
10-4.0(6)	11-4.0(6)	12-5.0(6)	13-5.0(6)	14-5.0(6)	15-2.0(6)	16-4.0(6)	15-5.0(6)	16-4.0(6)	17-6.0(6)	18-5.0(6)	19-5.0(6)	20-4.0(6)	21-5.0(6)
17-5.0(6)	18-5.0(6)	19-6.0(6)	20-6.0(6)	21-5.0(6)	22-4.0(6)	23-5.0(6)	22-5.0(6)	23-3.0(6)	24-5.0(6)	25-6.0(6)	26-6.0(6)	27-5.0(6)	28-6.0(6)
24-1.0(6)	25-2.0(6)	26-3.0(6)	27-4.0(6)	28-6.0(6)	29-5.0(6)	30-6.0(6)	29-3.0(6)	30-2.0(6)	31-6.0(6)				
November 2017							December 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1-3.0(6)	2-1.0(6)	3-3.0(6)	4-6.0(6)						1-4.0(6)	2-6.0(6)
5-4.0(6)	6-5.0(6)	7-6.0(6)	8-5.0(6)	9-5.0(6)	10-5.0(6)	11-6.0(6)	3-6.0(6)	4-6.0(6)	5-6.0(6)	6-6.0(6)	7-6.0(6)	8-5.0(6)	9-6.0(6)
12-2.0(6)	13-3.0(6)	14-6.0(6)	15-5.0(6)	16-6.0(6)	17-6.0(6)	18-5.0(6)	10-5.0(6)	11-4.0(6)	12-6.0(6)	13-5.0(6)	14-6.0(6)	15-5.0(6)	16-2.0(6)
19-4.0(6)	20-6.0(6)	21-6.0(6)	22-6.0(6)	23-4.0(6)	24-4.0(6)	25-6.0(6)	17-4.0(6)	18-6.0(6)	19-6.0(6)	20-6.0(6)	21-6.0(6)	22-3.0(6)	23-1.0(6)
26-6.0(6)	27-5.0(6)	28-6.0(6)	29-6.0(6)	30-6.0(6)			24-2.0(6)	25-6.0(6)	26-6.0(6)	27-6.0(6)	28-6.0(6)	29-5.0(6)	30-1.0(6)

Cover Page – Exhibit L

DCS Location	Shop Location	Employee Id	Employee Name	Confirmation	Call Date/Time	Layoff Date	Shift	Time	Layoff Reason	Comments
RLO	COMMERCE LOCO	0444911	DUNGER, THOMAS E	150163	10/19/2017 20:42:10	10/19/2017	3	22:00 - 06:00	FMLA	
RLO	COMMERCE LOCO	0444911	DUNGER, THOMAS E	150346	10/20/2017 20:56:35	10/20/2017	3	22:00 - 06:00	FMLA PAID	
RLO	COMMERCE LOCO	0444911	DUNGER, THOMAS E	150529	10/21/2017 20:38:18	10/21/2017	3	22:00 - 06:00	FMLA PAID	
RLO	COMMERCE LOCO	0444911	DUNGER, THOMAS E	153862	11/10/2017 22:04:47	11/10/2017	3	22:00 - 06:00	FMLA	
RLO	COMMERCE LOCO	0444911	DUNGER, THOMAS E	153688	11/09/2017 21:07:01	11/09/2017	3	22:00 - 06:00	FMLA	



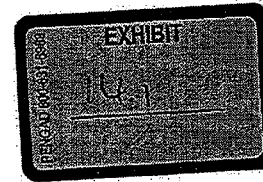
Cover Page – Exhibit M

UP: FMLA 365 Rollover: FMLA Absence Detail

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FMLA 365 Rollover FMLA Absence Detail

Current User: omnp293
Logout»

1-25 of 32 Records

< Previous 1 2 Next >

Employee ID	Leave Type	Absence Type	FL Category	Date	Day Of Week	Usage Type	Portion Of Week Used	Holiday Usage	Weekend Usage	FL Status	FL Status
0444911	FMLA	Intermittent	Family Member	10/15/2014	Wednesday	Normal	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	11/03/2014	Monday	Normal	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	11/16/2014	Sunday	Normal	0.2		N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	11/17/2014	Monday	Normal	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	11/18/2014	Tuesday	Normal	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	11/19/2014	Wednesday	Normal	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	12/03/2014	Wednesday	Normal	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	12/31/2014	Wednesday	Normal	0.2		Y	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/14/2016	Saturday	Cancelled	0.2		N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	05/17/2016	Tuesday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/18/2016	Wednesday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/19/2016	Thursday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/20/2016	Friday	Cancelled	0.2		N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	05/21/2016	Saturday	Cancelled	0.2		N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	05/24/2016	Tuesday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/25/2016	Wednesday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/26/2016	Thursday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	05/27/2016	Friday	Cancelled	0.2		N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	05/28/2016	Saturday	Cancelled	0.2		N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	05/31/2016	Tuesday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	06/01/2016	Wednesday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	06/02/2016	Thursday	Cancelled	0.2		N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	06/03/2016	Friday	Cancelled	0.2		N	Y	CLOSED

Exhibit M-32

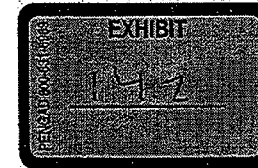
UP_Dunger_000462

UP: FMLA 365 Rollover: FMLA Absence Detail

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FMLA 365 Rollover FMLA Absence Detail

Current User: omnp293
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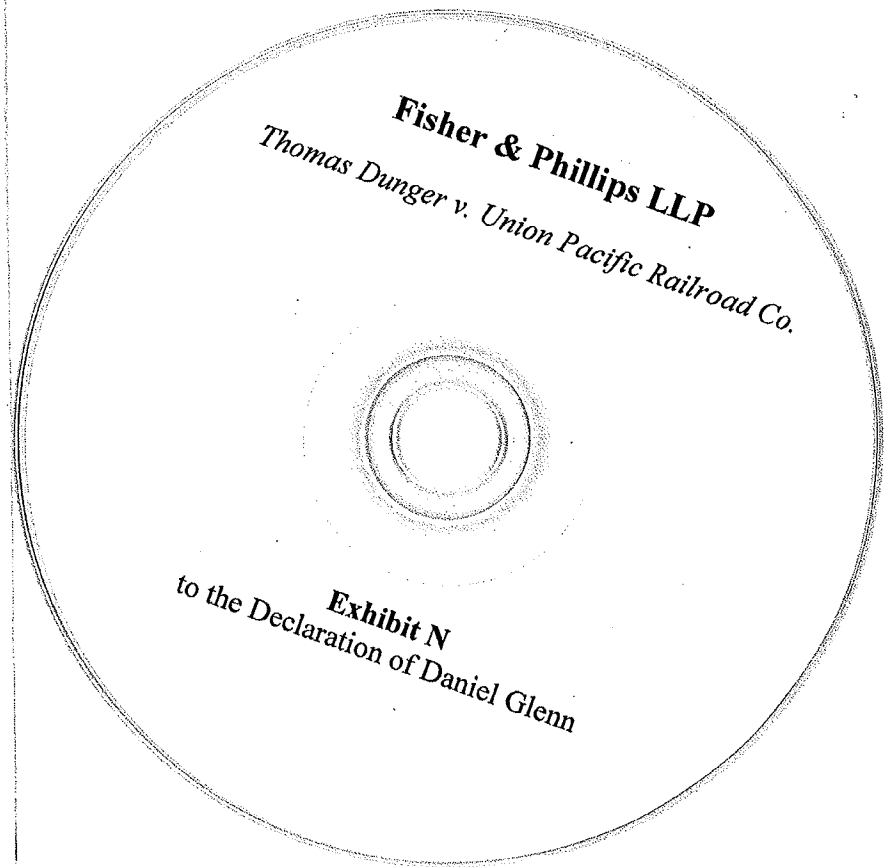
26-32 of 32 Records

Employee ID	Leave Type	Absence Type	FL Category	Date	Day Of Week	Usage Type	Portion Of Week Used	Holiday Usage	Weekend Usage	FL Status
0444911	Undefined	Intermittent	Undefined	06/08/2016	Wednesday	Cancelled	0.2	N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	06/09/2016	Thursday	Cancelled	0.2	N	N	CLOSED
0444911	Undefined	Intermittent	Undefined	06/10/2016	Friday	Cancelled	0.2	N	Y	CLOSED
0444911	Undefined	Intermittent	Undefined	06/11/2016	Saturday	Cancelled	0.2	N	Y	CLOSED
0444911	Federal FMLA	Intermittent	Self	10/19/2017	Thursday	Normal	0.2	N	N	OPEN
0444911	Federal FMLA	Intermittent	Self	10/20/2017	Friday	Normal	0.2	N	Y	OPEN
0444911	Federal FMLA	Intermittent	Self	10/21/2017	Saturday	Normal	0.2	N	Y	OPEN

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UP_Dunger_000463

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UP: Employee Information: 11/17/2017

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Employee Information 11/17/2017

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Current User: OMNP293
Logout »

Employee Information

Employee:	<input type="text"/>	Submit
OR		
Location:	CMRLD <input checked="" type="checkbox"/>	
Employee:	DUNGER THOMAS E <input type="text"/>	
Active Only:	<input type="checkbox"/>	
Select		PDF

Employee ID	Last Name	First Name	MI	Birth Date	Hire Date	SV
0444911	DUNGER	THOMAS	E	11/23	03/14/2011	6
Address		City	State	Zip Code		
P.O. BOX 129		CRESTLINE	CA	92325		
Home Phone		Cell Phone	Alt Phone			
(909) 781-4423						
Position ID	Occupation	EDCS Static Code and Description	Status	Date		
00121203	MACHINIST	2H		07/01/2012		
On/Off	Pl Date	Last Timecard	User ID	Days		
Y		11/17/2017	OMNQ831			
PSoft Static Description		PSoft Stat Date				
Agr Return from Leave of Abs		09/22/2016				

PRS - Days as of the Last Closed Payroll			
	DUP	TAKEN	LEFT
VAC	80	72	8
PER LV	0	0	0
SICK	0	0	0
SFTY	0	0	0
Vac Qual Yrs	Days Worked		
7	202		



Job	Personal Record	Discipline	ETE	Seniority	Absent Time	Time Away	LOA and Status	90
-----	-----------------	------------	-----	-----------	-------------	-----------	----------------	----

Position							
Pos ID	Pos Stat	Qual	Rest Days	Sen Rest	Title Code	Paid Func	
00121203		0	SUN MON	0000016953		Y	

Position Detail										
Sft	Start	End	From	Area	PRC	HOS	Mon	Tue	Wed	Thur
3	22:00	06:00	1333	3603	711	N	0	1	1	1

Job History				
Effective Date	Action	Reason	Job Code	Job Title
08/09/2017	XFR		A32711	MACHINIST
01/19/2017	XFR		A32704	MACHINIST LEAD ME
09/22/2016	XFR		A32711	MACHINIST
09/22/2016	RFL		A32711	MACHINIST



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Employee Information 11/17/2017

Current User: OMNP293
Logout »

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Employee Information

Employee:	<input type="text"/>	Submit
OR		
Location:	CMRLO	
Employee:	VARGAS JASSIER C	
Active Only:	<input type="checkbox"/>	
Select		PDF

Employee ID	Last Name	First Name	MI	Birth Day	Hire Date	SV
0452004	VARGAS	JASSIER	C	01/24	04/09/2012	5

Address	City	State	Zip Code
	BALDWIN PARK	CA	91706

Home Phone	Cell Phone	Air Phone

Position ID	Occupation	EDCS Status Code and Description	Status Date
00217621	ELECTRICIAN	2H	07/01/2012

OT	Last Pk Date	Last Time Card	User ID	Days
Y		11/17/2017	OMNZ646	

PS Stat	Status Description	PS Stat Start Date
Ag	Return from Leave of Abs	07/19/2013



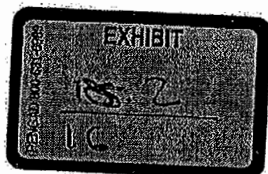
PRS - Days as of the Last Closed Payroll			
	DUE	TAKEN	LEFT
VAC	80	72	8
PER LV	0	0	0
SICK	0	0	0
SFTV	0	0	0
Vac Qual Yrs	6		
Days Worked		209	

Job	Personal Record	Discipline	ETE	Seniority	Absent Time	Time Away	LOA and Status	90
-----	-----------------	------------	-----	-----------	-------------	-----------	----------------	----

Position						
Pos ID	Pos Stat	Qual	Rest Days	Sen Rosy	Title Code	Paid Lunch
00217621		0	SAT SUN	0000016975		Y

Position Detail										
Sh	Start	End	Prm	Area	PPC	HOS	Mon	Tue	Wed	Thur
3	22:00	06:00	1333	2003	858		0	0	0	0
3	22:00	06:00	1339	3803	858		1	1	1	1

Job History				
Effective Date	Action	Reason	Job Code	Job Title
08/17/2017	XFR		A32858	ELECTRICIAN
08/17/2017	XFR		A32858	ELECTRICIAN
03/23/2017	XFR		A32858	ELECTRICIAN



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Employee Information 11/17/2017

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Current User: OMNP293
Logout x

Employee Information

Employee:	<input type="text"/>	Submit
OR		
Location:	CMRLO	
Employee:	SCHARF HARRISON T	
Active Only:	<input type="checkbox"/>	
Select		PDF

Employee ID	Last Name	First Name	MI	Birth Date	Hire Date	SV
0447462	SCHARF	HARRISON	T	07/22	06/20/2011	6

Address	City	State	Zip Code
	SAN JUAN CAPISTRA	CA	92675

Home Phone	Cell Phone	Alt Phone

Position ID	Occupation	EDRS Status code and description	Status Date
00210288	ELECTRICIAN	2H	07/01/2012

OT	Last In Date	Last Time Card	User ID	Day
Y		11/17/2017	OMNQ785	

Posn Status Description	Posn Stat Date
Agr Set up to Journeyman	07/29/2015



PRS - Days as of the Last closed Payroll			
	DUE	TAKEN	LEFT
VAC	80	64	16
PER LV	0	0	0
SICK	0	0	0
SFTY	0	0	0
Vac Qual Yrs	Days Worked		
7	220		

Job	Personal Record	Discipline	ETE	Seniority	Absent Time	Time Away	LOA and Status	90
-----	-----------------	------------	-----	-----------	-------------	-----------	----------------	----

Position						
Pos ID	Pos Stat	Qual	Rest Days	Sen Rost	Title Code	Paid Lunch
00210288		0	FRI SAT	0000016975		Y

Position Detail										
Slt	Start	End	Flmt	Area	PRC	HOS	Mon	Tue	Wed	Thur
3	22:00	06:00	1339	3803	858	N	1	1	1	1

Job History				
Effective Date	Action	Reason	Job Code	Job Title
03/23/2017	XFR		A32858	ELECTRICIAN
03/23/2017	XFR		A32858	ELECTRICIAN
03/01/2017	XFR		A32858	ELECTRICIAN
10/20/2016	XFR		A32858	ELECTRICIAN



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UP: Employee Information: 11/17/2017

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Employee Information 11/17/2017

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Current User: OMNP293

Logout »

Employee Information

Employee:	<input type="text"/>	Submit
OR		
Location:	CMRLO <input type="button" value="v"/>	
Employee:	LEMUS JOHN M <input type="button" value="v"/>	
Active Only:	<input type="checkbox"/>	
Select		PDF

Employee ID	Last Name	First Name	MI	Birth Date	Hire Date	SV
0352670	LEMUS	JOHN	M	04/28	01/29/2001	16

Address	City	State	Zip Code
<input type="text"/>	RIALTO	CA	92377

Home Phone	Cell Phone	Alt Phone
<input type="text"/>	<input type="text"/>	<input type="text"/>

Position ID	Occupation	EDOS Status Code and Description	Status Date
00210234	MACHINIST	2H	07/01/2012

OT Last P Date	Last Time Card	User ID	Days
Y	11/17/2017	OMNI952	

Person Status Description	Person Stat Date
Agr Return from Leave of Abs	09/09/2010



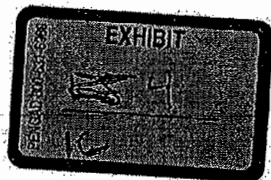
PRS - Days as of the Last Closed Payroll			
	DOE	PAKEN	LEFT
VAC	120	64	56
PER LV	8	0	8
SICK	0	0	0
SFTY	0	0	0
Vac Qual Yrs	17		
Days Worked	218		

Job	Personal Record	Discipline	ETE	Seniority	Absent Time	Time Away	LOA and Status	90
-----	-----------------	------------	-----	-----------	-------------	-----------	----------------	----

Position						
Pos ID	Pos Stat	Qual	Rest Days	Sen Rost	Title Code	Paid Lunch
00210234		0	FRI SAT	0000016953		Y

Position Detail										
St	Start	End	Time	Area	PPC	HOS	Mon	Tue	Wed	Thur
3	22:00	06:00	1339	3803	711	N	1	1	1	1

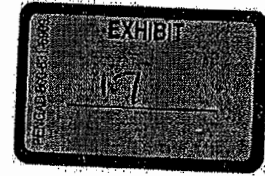
Job History				
Effective Date	Action	Reason	Job Code	Job Title
08/09/2017	XFR		A32711	MACHINIST
05/25/2017	XFR		A32711	MACHINIST
05/25/2017	XFR		A32711	MACHINIST
10/06/2016	XFR		A32711	MACHINIST



Cover Page – Exhibit S

Work/School Note

DUNGER, THOMAS - 2215332



Work or School Excuse *

Patient: DUNGER, THOMAS MRN: 2215332 FIN: 4316196
Age: 28 years Sex: Male DOB: 11/23/1988
Associated Diagnoses: None
Author: McNutt, Carolyn

Today's date: 10/19/2017

To whom it may concern:

This patient was seen in my office on 10/19/2017. Please excuse him/ her from work, today, for the next 2 days. He/ she may return to work, on 10/22/2017. Please contact me if you have any questions or concerns.

Sincerely,
Lizotte, Scott FNP
909-948-8100

Charted Date: October 19, 2017 11:00 AM PDT
Subject / Title: Work or School Excuse *
Performed By: McNutt, Carolyn on October 19, 2017 11:00 AM PDT
Electronically Signed By: McNutt, Carolyn on October 19, 2017 11:00 AM PDT
Visit Information: 4316196, Rancho San Antonio Urgent Care, Outpatient, 10/19/2017 -

SAN ANTONIO URGENT CARE
7777 MILLIKEN AVE
RANCHO CUCAMONGA, CA 91730
(909)948-8100

Printed by: McNutt, Carolyn
Printed on: 10/19/2017 11:00 AM PDT

Page 1 of 1
(End of Report)

CERTIFICATE OF SERVICE

I, the undersigned, am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; am employed with the law offices of Fisher & Phillips LLP and my business address is 4747 Executive Drive, Suite 1000, San Diego, California, 92121.

On April 22, 2019 I served the foregoing document entitled **DECLARATION OF DANIEL GLENN IN SUPPORT OF DEFENDANT UNION PACIFIC RAILROAD COMPANY'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT** on all the appearing and/or interested parties in this action by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

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☒ [by **ELECTRONIC SUBMISSION**] - I served the above listed document(s) described via the United States District Court's Electronic Filing Program on the designated recipients via electronic transmission through the CM/ECF system on the Court's website. The Court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document(s). Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed April 22, 2019 at San Diego, California.

Susan E. Valle

Print Name

By: *Susan E. Valle*

Signature